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Application No. : **2,501,533**
Owner : BOUTECH, NAAMLOZE VENNOOTSCHAP
Title : **METHOD AND DEVICE FOR MANUFACTURING PLUNGERS
FOR MEDICAL SYRINGES, PLUNGERS OBTAINED THEREBY,
AS WELL AS A SYRINGE FOR MEDICAL PURPOSES**
Classification : B29C 45/16 (2006.01)
Your File No. : **003299-0248**
Examiner : P. Zhang

YOU ARE HEREBY NOTIFIED OF A REQUISITION BY THE EXAMINER IN ACCORDANCE WITH SUBSECTION 30(2) OF THE *PATENT RULES*. IN ORDER TO AVOID ABANDONMENT UNDER PARAGRAPH 73(1)(A) OF THE *PATENT ACT*, A WRITTEN REPLY MUST BE RECEIVED WITHIN 6 MONTHS AFTER THE ABOVE DATE.

This application has been examined taking into account applicant's correspondence received in this office on March 13, 2008.

The number of claims in this application is 30.

The examiner has identified the following defects in the application:

The search of the prior art has revealed the following:

References Applied:

Japanese Patent Document

2001/01870 □ Sep. 27, 2001 Int. Cl: A61M 5/315 Chiba

United States Patents

✓ 5030406 □ July 9, 1991 US Cl: 264/255 Sorensen
✗ 3659749 □ May 2, 1972 US Cl: 222/145 Schwartz

□ citation stemming from a foreign search report

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Chiba or Schwartz discloses a syringe.

Sorensen teaches a multi-cavity mold to be used for overmolding a molded article.

Claims 1-5 and 8-9 do not comply with paragraph 28.2(1)(b) of the *Patent Act*. Chiba disclosed the claimed subject matter before the claim date. Chiba discloses a method for making a medical syringe as shown in figs. 1-5 and in the abstract, wherein the plunger comprises a plunger body made from a hard plastic and a piston body made from a soft polymer material, and wherein the plunger body and the piston body can be bonded mechanically or physically or chemically. Therefore, the subject matter defined in the claims is anticipated by Chiba.

Claims 6-7, 14 and 18-27 do not comply with section 28.3 of the *Patent Act*. The subject matter of these claims would have been obvious on the claim date to a person skilled in the art or science to which they pertain having regard to Chiba in view of Sorensen. The claims differ from Chiba in that the claimed mold is a multi-cavity mold to be used for forming the plunger body and the piston body, whereas the disclosed mold may be used to form other molded article. However, this difference cannot be relied upon to add patentability. A person skilled in the art would know that a mold used for overmolding process has at least two cavities based on the disclosure of Sorensen. Thus, it would be obvious to a person skilled in the art that the teaching of Sorensen could be combined with Chiba to produce the same result.

Further, the subject matter of the claims would have been obvious on the claim date to a person skilled in the art or science to which they pertain having regard to Chiba in view of common general knowledge. The subject matter defined in the claims is a overmolding process, wherein the mold must have at least two cavities with at least two injection units in order to make a molded article with two different materials, wherein a variety of rotation mechanisms of a mold core appear in the market. Therefore, the subject matter defined in the claims is considered to lack an inventive step.

Claims 10-13 do not comply with section 28.3 of the *Patent Act*. The subject matter of these claims would have been obvious on the claim date to a person skilled in the art or science to which they pertain having regard to Chiba in view of Schwartz. The claims differ from Chiba in that the claimed plunger comprises an accessory part (48) extending from the plunger body. However, Schwartz teaches a plunger having an accessory part (45) extending from its plunger body. Thus, it would be obvious to a person skilled in the art to incorporate the accessory part of Schwartz with the syringe of Chiba.

Claims 15-17 and 28-30 do not comply with paragraph 28.2(1)(b) of the *Patent Act*. Schwartz disclosed the claimed subject matter before the claim date. Schwartz discloses a syringe having a plunger body made from a hard plastic and a piston body made from a soft polymer material, and further the plunger has an accessory part (45) extending from its plunger body. Thus, the subject matter defined in the claims is considered not to be new.

Claims 1-2, 5-8 and 18 do not comply with Subsection 27(4) of the Patent Act because the word "or" causes ambiguity. The claims define two different embodiments. One embodiment is that the claimed plunger of a syringe has a plunger body and a piston body, wherein the piston body and the plunger body are bonded directly, the other one is that the claimed plunger body and the piston body are bonded through an accessory part (37) as shown in figs. 10-11. Therefore, the claims 1-2, 5-8 and 18 should be limited to a single embodiment.

In view of the foregoing defects, the applicant is requisitioned, under subsection 30(2) of the *Patent Rules*, to amend the application in order to comply with the *Patent Act* and the *Patent Rules* or to provide arguments as to why the application does comply.

P. Zhang
Patent Examiner
819-953-0654